

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DARRYL LEGGETT,

Plaintiff,

vs.

MIKE FOLEY, MAGGIE MILLER-  
STOUT, and DEPARTMENT OF  
CORRECTIONS,

Defendants.

NO. CV-09-090-LRS

ORDER DISMISSING COMPLAINT WITHOUT  
PREJUDICE AND DIRECTING THAT  
COLLECTION OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff Darryl Leggett's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 10) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion and Affidavit to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 11) is **GRANTED** and the institution having custody of Mr. Leggett shall cease collection of the filing fee in this action, cause number **CV-09-090-LRS**.

**IT IS SO ORDERED.** The District Court Executive is directed to  
ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT  
COLLECTION OF THE FILING FEE CEASE -- 1

1 enter this Order, enter judgment of dismissal without prejudice,  
2 forward a copy to Plaintiff and close the file. The District Court  
3 Executive is further directed to send a copy of this Order to the  
4 Office of the **Department of Corrections, Attn: LFO/COS UNIT, P.O. Box**  
5 **41107, Olympia, WA 98504-1107**, to forward to the appropriate agency  
6 having custody of Plaintiff. The District Court Executive also **shall**  
7 provide a copy of this Order to the Financial Administrator for the  
8 United States District Court, Eastern District of Washington.

9 **DATED** this 20th day of May, 2009.

10  
11 ***s/Lonny R. Suko***

12 

---

LONNY R. SUKO  
13 UNITED STATES DISTRICT JUDGE  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27